

# Anarchist-Mutualism

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My old-time comrade and dear friend, C.L. Swartz, has sent me a copy of his new book, "What is Mutualism", for review. I have unlimited respect for C.L. Swartz, his ripe scholarship and sincere idealism, and if I am compelled by an equal sincerity to differ with him, I hope our valued friendship will not be affected.

I make this review with pleasure, because it will incidentally afford me an opportunity to explain myself to my old comrades, who, I know, regard me as a sad renegade. In 1884, or there-about, I became a disciple of the school of Proudhon and Tucker. Tho never very orthodox, I passed for a pretty straight Individualist-Anarchist for some 20 years. Tucker was a gentleman and a scholar, and his personal charm held me as well as intellectual and moral conviction. But at last my critical faculties were turned on the cult itself and I had to come out. I am no longer an Anarchist, but perhaps on many points I might fairly be called a Near-Anarchist still. I no longer label myself an Anarchist, or a Socialist (except in the large use of that term), but a Humanist, and the one principle I subscribe to is the greatest benefit to the greatest number. But I want all the personal liberty it is possible to have, for myself and others, so far as it is consistent with social benefit. I say all this because this new cult of Mutualism is simply the old cult of Tuckerism, of Individualist-Anarchism, under a new name and very wisely supplemented by the constructive principle of cooperation. As such it is far more attractive to me, as Co-operation is the most saving word in the language.

The Anarchists of half a century ago knew nothing of the psychology of modern business. With a new idea to put over, and in private life, courteous, cordial and refined, on paper they were a lot of swaggering, critical, swashbucklers, arrogant, browbeating and insulting, and all who differed were knaves or fools, and frankly so informed. The dictionary was reversed, and the astonished world was told that Anarchy was Order and Government was Invasion. Worse salesmanship for a new propaganda could hardly have been conceived. But conceit did not stop here, for men were also told that the Declaration of Independence must also be reversed. There were no "natural rights", or any rights except those of might, unless created by contract between associates, and that children were the chattels of their parents, who (after all, as it was contradictorily discovered) had a natural right to do what they pleased with them as a labor product. It was a thousand pities, for those men really had some very valuable ideas that the world needed and which a sane and considerate propaganda might have enabled them to spread far. The tone of "What is Mutualism" is very different. It is courteous, persuasive, respectful and sweetly reasonable, and

the old, antagonism-creating name has been wisely dropped, but under this gentle exterior one is saddened to see most of the old ideas reappear still.

As I see it: --

Liberty is to do as you please;  
Law is that which limits liberty;  
Government is that which applies law.

There is not now, and never has been, any complete liberty in our natural world or among men.

The universe is constructed of opposites, which always operate co-existently, at least to some extent; therefore liberty and authority always co-exist and operate together,

Anarchists plead only for equal-liberty, which is limited liberty, and therefore admit at the start that there is something in Nature and her necessities which limits liberty; therefore admit natural law and natural government -- that there is a natural basis and origin for government. It is a dangerous admission for their cult. But they go further and claim that even equal-liberty has no rights against invasive might and its right must be created by an artificial contract between associates who pool their mights to defend it. They don't stress the corollary, but if cornered admit it, that those outside the contract have no rights whatever and may be invaded without guilt by whosoever has the might. It is reminiscent of the morality of our Amerindians who are angels in tribal relations and fiends on the war-path to outsiders. They thus create a justification for invasion that the moral sense of the rest of men denies -- and so still further cease to be the champions of liberty.

It is a tremendous strategic mistake that the Mutualists thus make to fly in the face of and array against them the moral intuitions of mankind. And quite unnecessary also. Even if they believe this, it is needless to mention it. Nobody suspects for a moment that Comrade Swartz and his immediate associates are seeking excuses for rape and murder on non-associates, or that they would treat their children any more like puppies or stove wood than other humans. Why then metaphysically outrage the moral code of those they are trying to persuade? What they are trying to put over is that good men, if they wish to have satisfactory liberty, must associate to realize and defend it. Why not emphasize that and chuck offensive hair-splitting out of the window? Why take a position that would theoretically permit one of their associates to prey as a burglar on non-associates, or a woman to sell her pretty little daughter into white slavery? And if it actually happened, if the man and the woman were loyal and inoffensive within the clan, and willing that the other members had equal liberty to burglarize and sell, how, without violating their principles, could they act to stop it? It was precisely at this point where Tucker, mad with his logic, asserted that the child was the labor-product of the mother, therefore absolutely her property and that the mother had the right to throw her baby into the fire, like an old newspaper, if she chose, that I broke with him first, and my Anarchism first began to crack. What insanity has moved modern Mutualists to re-assert these positions against which the heart of humanity and the intuitions of its moral conscience will always rebel? Especially as it is quite certain that none of those writing this book (for I am informed it is a mutualist creation) intend to make any practical application of such anti-social dogmas; nor has the practical application of the theory of the social-contract any need of such logic.

Nothing seems easier to demonstrate than natural rights. When Nature created us she endowed us all with an innate and indestructible conviction that we have: --

1. A right to live;
2. A right to promote and defend that life;
3. A right to do anything that really benefits us.

These are our natural rights, and everybody is convinced of them, spite of all doctrinaires. It is safe to say that Comrade Swartz is as convinced of his natural right to these rights as I am and would fight as hard to maintain them. And there are other natural rights with a wider social application. If advanced thinkers base their contentions on natural rights, and claim these for all human beings by the very fact of their humanity, they can go ahead with confidence and appeal with results to the human heart.

Those who would reason clearly on the question of rights should always make a distinction between rights and privileges. The so-called "right of might" is in the nature of a privilege. It is not a right, nor is it right unless it serves a right. Our rights always relate to benefits and connote satisfaction. That is right which benefits. In Nature might has no justification for action unless it secures benefit -- therefore is subordinate to right. Might must serve right before it is justified and right must have the service of might before it can practically act, tho it existed just as certainly before. Swartz has a right to his Mutual Bank, tho he has no might to compel the government to withdraw its impediments. If might does not serve right, Nature condemns it in the final results -- they are not beneficial. By endorsing the right of might Anarchists throw away their whole case, for they thereby endorse and justify all successful invasions, and particularly the invasions of government, which has the most might.

Instead of all rights being derived from might, all rights are derived from benefit and imply that, otherwise cannot qualify.

Government has its origin in Nature below man. Animal parents control their young, animal packs follow and obey a leader. We see the same among primitive men. Nature has instituted an instinct for government and its purpose has been benefit and preservation. The mother governs her child for the benefit of the family; and the tribe, the larger family, huddles for protection under the strength, courage and wisdom of the chief. The natural roots of government are in the mother and the chief, and in that self-government by which a man conserves his health and safety by controlling his dangerous appetites and impulses. Government of this kind is instinctively sought by human beings, and benefits of this sort are instinctively expected of government; and where benefits of this sort are derived from government, there need be no fear of rebellion. To "establish justice, insure domestic tranquility, provide for the common defence, promote the general welfare, and secure the blessings of liberty", states the essentials pretty well.

Government of the invasive kind began when tribesmen adopted these very principles that Tucker and Swartz would have us accept -- they felt an implied contract bound them together in loyalty within the tribe, but outside there was no right but might, no one outside the tract had any rights they were required to respect. The result was invasions, war, conquest of weaker tribes, property in loot, the ownership of stolen lands, the making of slaves. The chief made himself king over these conquered ones, subjects. By a separate contract with his strongest warriors he divided stolen lands among them, and made them feudal lords with serfs, and bound them to him and away from the loyalty to the weaker ones of the tribe. Special privileges in stolen property -- that has been the quality of invasive government ever since. But the people have never forgotten that government purely for social benefit is perfectly possible, and the reason they do not forget

it is because they still have mothers, and still at time, strong friends and champions arise to use their might to protect them.

Another instance where an implied contract was used for invasion was when men usurped all rights in the name of might, declared women had no rights, subjugated them, and instituted that form of marriage in which, in its pure form, the woman was forced to be monogamous, was purely her husband's property, without human rights, and her children also property and also his.

Pure liberty -- the untrammeled doing as one pleases -- nowhere exists. Law and government, in some form or degree, open or concealed, always accompany liberty and modify it. When Anarchists ask only for equal-liberty they themselves acknowledge this and institute a degree of law and government by limiting liberty by equality, governing liberty by equality. Once you admit that, in practice, liberty must be limited, law and government are admitted, and it only becomes a question how much or how little liberty is best for the greatest benefit. If Mutualists bind themselves by a contract, the moment any one of them finds he has made a mistake and no longer agrees to the contract, he finds that the Contract has become a Government, and its several parts are laws, which are associates will enforce upon him. He can leave of course but if his home and investments are there that will not be so easy, and if obliged to go to another group, under another contract, he only changes governments, as an American who goes to Canada or Mexico. If a child has the misfortune to be born under one of these contract-mutualisms he finds he has no rights whatever, and is only property of his parent's might. Not even equal-liberty for him until big enough to put his head into one of those contract nooses. If he chooses to live as a pure inoffensive individualist, outside of any contract, he will find that for his mutualist neighbors he has no rights whatever, unless they choose to endow him with some. If not, they are free to exercise their might upon him.

If a contract exactly expresses the will of a member it, of course, does not govern him. But it is a rigid form, for all that, and, sooner or later is bound to pinch somewhere, for he is growing and changing. When it pinches it governs, and if he enforces it on his dissenting desires he aids it to govern, but it governs none the less. If he does not enforce it on himself, but breaks it, and others enforce it on him, he is sure it governs. If enforced only by forfeiture of bonds, loss of privileges, etc., it governs still. A contract enforced limits liberty, tho not necessarily equal-liberty, and a contract not enforced, or not intended for enforcement, is weak, and weak precisely at points of greatest strain. And it is safe to say that, with any contract involving social life, there will be moments of emergency and crucial necessity when imperious wills will enforce the contract or violate it spite of any scruples about equal-liberty.

Perhaps the contract will be enforced only by the boycott. Mutualists would fain [sic] persuade us that there is no possible invasion of equal liberty in a boycott. Comrade Swartz, instinctively sensing a weak spot in his levees here, throws all his strength to its support. "It is", he says, "the only weapon that cannot be used invasively?" The reason for this is that the boycott is not an act; it is merely the refusal to act." Yet please note that he admits it is a "weapon", and implies that it can be "used", and on page 163 admits that a boycotted person "may correctly allege that he has been coerced", and lower down speaks of a boycott exerting a "pressure." On page 165, we see it recommended as a "punishment for crime", and a "drastic penalty", "more painful to many than to be incarcerated in a prison", etc. Now how can the use of a weapon, to exert a pressure, to coerce, to inflict a drastic penalty or punishment, worse than incarceration in a prison, be described as no act, "merely a declination to act"? It is absurd. The confusion of the Anarchist

here comes from his failing to understand that, in the paradoxicality of the universe, there are acts-negative as well as acts-positive, and that the boycott is one of the acts-negative. A failure, or refusal to act in a positive manner may still be an act-negative. Thus if a baby, at my feet, falls into a ditch, and I, quite able to retrieve it, allow it to drown, I am just as guilty of its murder as if I pushed it under; if I see a spark starting to ignite a house, and I, quite able, indifferently permit it to burn on, I am morally guilty of arson. When I boycott or ostracize a person to coerce him to do something which he is unwilling to do I am acting, and my act is an act of government.

For this is precisely what government is -- in the relations of human beings, it is the action of one mind to control another mind to coerce it to perform an act, or cease to act, where it is reluctant or unwilling to comply -- that is government, and is so understood by all mankind -- or, more briefly -- government is the imposition of a stronger will upon a weaker will that is here unwilling. It is always a limitation of liberty, even if intended to maintain whatever liberty may be possible.

Anarchists will find, whenever they try to apply their theories, that they cannot maintain an orderly, comfortable home, or run an orderly, harmonious school, or conduct an orderly public meeting, (Tucker averred that it was necessary that the moderator should be an autocrat), or run a safe railroad train, or sail a safe ship, without government. There must be discipline for order and efficiency -- self-applied, or externally applied, and almost invariably the latter, for the self-applied is very unreliable in practice. Swartz praises the superior efficiency of private business concerns over government action in the same lines. He fails to note that the reason is that the discipline and government of the business enterprises is far more instant and severe than that of ordinary political government. In the army and navy, where government is still more strict and severe, efficiency is supreme. Efficiency is apt to be in inverse proportion to liberty. But of course government is a blind force and must be directed by intelligence; a fool must not be an engineer.

I cite all this merely to prove that Anarchism is a natural impossibility. Government is ubiquitous and pops up everywhere. There is no such thing as complete liberty, and equal-liberty, tho a beautiful moral standard, as an ideal, is, in real life invaded all the time, by stern natural necessity. There is no such thing as an "individual sovereign", a "single, separate person" -- he does not exist. Centrally there is a certain nucleus of individuality, yes, and very precious to us, but on all borders and contacts one merges with forces, things and persons, depends on them, and becomes all tangled up, coercing and being coerced, governing and being governed, in all sorts of conscious or unconscious, secret or overt way, by acts-negative or acts-positive. Society is not a mere word, but a living reality. As soon as any group forms there begins to develop a collective, composite spirit, or mind, invisible, but very real, that more or less telepathically unites and includes it -- all its members. All contribute life to it -- all are influenced, modified by it. This is Society -- the composite spirit of the group -- and it exercises an invisible, but very real government. The visible leaders must mainly express it or they do not last long. There is always a majority rule, tho a powerful individual mind may captivate the majority, at least for a time. Anarchists cannot escape the action of this government; moreover they will participate in it.

I first really faced the fallacy of Anarchism when I faced the problem of Conservation. When Anarchists forgot the assertion of the single right of might, they were full of rights to assert, and one was that the individual sovereign had an indisputable right to go to wild Nature for anything he could use and, provided he left the field open for others, no one had a right to prevent him. I agreed, till suddenly I realized that this meant that an Italian could live on slaughtered son birds, a market pot-hunter could kill all the year round, fish could be seined out of all waters, the

lumber-hog could sweep away the forests, and, as long as these men left equal-liberty for others to commit equal havoc, there was absolutely nothing in Anarchist principles that could consistently be applied to stop them. They were occupying and using, and not invading equal-liberty -- and to stop them was "government", that is, "invasion". I dropped Anarchism right then and there. I began to see emerging the rights of society -- of a wise collectivity, envisaging the rights of all and of posterity. Some social benefits required even the sacrifice of equal-liberty.

In presenting their propaganda, Anarchists seem to fight shy of putting out any definite program, or telling in unmistakable terms how their principles would work out in practice. Usually they prefer to only deliver fascinating generalities. One of these fascinating generalities is that of usufruct, which, they claim, would give a perfect title to land. But when you look into it, this doctrine of occupation and use is as full of potential trouble as any tropical jungle. Will occupancy alone give a full title to ownership, or will use alone do so, or must it be both occupancy and use. And what constitutes either occupancy or use? If I set my house in the middle of a quarter-section do I occupy all that land, or do I occupy only what my house actually covers? If I run a footpath over a farm and walk over it frequently, does that constitute use? If I fence in 10,000 acres of rich land, capable of feeding 40,000 people under intensive cultivation, and merely pasture 10,000 head of cattle on the tract, is that occupancy and use and must the other 39,999 leave me in possession? What constitutes failure to occupy? How long may I be absent, and under what circumstances, and still retain occupancy. And so on and so on, and so on? What has the right to decide such questions anyway, or to enforce decisions when made, especially when "the natural right of might" looms in the background? Is it not instantly clear that any and all decisions must be more or less arbitrary. And all occupancy and use of land is to a certain extent a monopoly and excludes some one from the equal right to occupy and use it -- is, to a degree, a violation of equal freedom. I see endless possibilities of disputes, quarrels, litigation, fights, feuds, arising out of this utterly loose and indeterminate way of deciding land titles. Far better in every way, in my judgment, is to plan of the Single Taxer -- all the people own the land in common and the government administers it; you pay your rent to a clearly defined piece of land, and so long as you pay, you occupy -- when you stop payment, you have vacated your title. It is all as clear as dollars and cents, and settled instantly on business-like principles. And makes it far more difficult to hold valuable and socially-needed lands for selfish pleasure or inferior use. Under usufruct a stubborn occupant, holding a strategic position, refusing to sell out, could block a road, even a railroad, and cause expense and trouble, or exact his own price, or exact a toll. Nothing of that [is] possible under government ownership.

Much more could be said, but I have not been asked to write a volume. And there is much in the book to praise. The criticism of Bolshevism is penetrative and deserved. I am not a financier but The Mutual Bank appeals to me as an excellent institution. For many years I have been convinced that the finances of the country should represent and be based upon the exchangable wealth of the country, not based on gold. The explanation of what The Mutual Bank is, and would do, seems to me to be more clearly given in this book than in anything else I have read. Some such method is painfully needed to deliver from the robbery of interest and insure general prosperity. [NOTE inserted in hand by Lloyd: Now (1934) I believe, with Bellamy, that the remedy is to abolish all banks and money.] The tone of the book is excellent, its literary merit of the highest. There is a complete absence of violent accusation and insult toward opponents, or those criticised. Its working methods, as recommended -- education, passive resistance, to repeal obnoxious laws where possible and ignore where impossible -- all these are admirable. But repeal would require

voting -- do Mutualists use the vote? Are they wise enough to be opportunists and to use the enemy's weapons where available? The original Anarchists would die first.

For myself I am satisfied that education and evolution are all we can look to for effective help -- the evolution of character. When the general character of society reaches a high enough development, only men of character can represent it in government or serve it in business, and the nature of all institutions will reflect that character, opportunities for the unscrupulous to use the might of force or cunning to domineer and exploit here will always be, under any system, rule or contract, and nothing but the refusal of the tempted to utilize these opportunities can save the day. And no matter how bad the social system, the good man will at once proceed to reform it into one of real social service. Even a dictator is harmless if his character is high enough, and the loudest professor of Anarchism will be a tyrant and a parasite if his character is low enough.

I quite agree with this book in its denunciation of monopoly and special business privilege. Government should never be permitted to create these. I am for free trade and free competition. Private parties should always be free to compete with the government in rendering public service -- a competition between government and private companies should act as a corrective of the usual faults of each. I favor the abolition of patents and copyrights, still I think it would be to the public interest to offer inducements to investors. I would suggest a plan something like this: Suppose a board of experts nominated by the manufacturers of the county, to pass on the merits of inventions. Any inventor who chooses may submit his invention to these. If they approve, they appraise the labor cost of his invention, and of his model, and reimburse him for this. They also describe and illustrate his invention in one issue of a periodical they print, which goes to all manufacturers. Any and all are now free to make and sell the invention, but all who do so must pay the inventor a small royalty for his lifetime, or for the time they continue so to do. By this plan the inventor would get at least something for his invention, at least get back his expenses. But it would be the property of the people, and could not be bought up and shelved. All would have access to it on equal terms, and the more who were benefited, the more the inventor would get. And the more good, free inventions, the more the whole world gains.

I fully agree that juries should try the law as well as the evidence. In other words, all laws relating to crime should be flexible, and applied or modified according to the peculiar circumstances of each case. Only thus can justice be done. But to select ignorant and unwilling men, haphazard, for jurors, is a most clumsy and dangerous method. Jurymen should be professionals, men of selected character, especially educated in human psychology and the problems of impartial equity; in the employ of the whole people at a fixed salary, and always on the job, trying all cases as they came. Lawyers, too, should be only in the employ of the people, at fixed salaries; not mercenaries, fighting like soldiers of fortune for the highest bidder. The chief business of lawyers should be to settle quarrels, reconcile disputants, dissipate litigation and reform criminals. Also to constantly simplify, clarify and lessen law and save legal expense to the community. For a lawyer to aid a known criminal to escape conviction should be regarded as a worse crime than that of his client, because treasonable to his profession and not against an individual but the whole people.

I am convinced that private associations for defence against crime would swiftly lead to worse abuses than those we now suffer from in that line. Like mercenary lawyers, the temptation would always be to fight for their customers, right or wrong. And to get into conflicts between themselves that might easily embroil the whole community or lead to civil wars. Besides, there is nothing in true Anarchist principles that requires anyone to employ a defence-association. An individual sovereign has a right, according to his principles, to make his own laws about his own

affairs, and avenge his own wrongs in his own way. Under Anarchism we could not fail to go back to the old ways of blood-vengeance and the vendetta, to lynch law and standing feuds.

The government we are under today has grown out of the composite spirit of the people and represents it. It is as good as the people deserve, speaking generally, however hard on advanced individuals. It will improve as the spirit of the people improves, and it can only improve that way. Bloody revolutions only deceptively change surfaces. Witness that in modern Russia the continuing spirit of czarist days comes out in despotisms, bureaucracy, massacres, executions without trial, espionage, censorship, corruption, inefficiency. Only those improvements have been made that the spirit of the people was ready for and would peacably have gradually effected anyway.

The greatest reform needed in government is flexibility and a recognition and promotion of growth. If governments were wise they would emasculate and "denature" rebellions by allowing safety-valves and vent-holes for radicals. They would encourage and solicit criticism and assist those who offered better ways to demonstrate their methods in practice, thus submitting them to the acid test. If a new theory could demonstrate actual improvement, then the referendum. No revolutions on that road, but steady evolution.

The trouble with Radicals is that they are practically all doctrinaires. They denounce compromise, not recognizing that compromise is the road of progress. In real life all principles must, at times, recognize and employ their opposites. There is everything in the universe and a time, place and use for each thing. Take the principle of Equal-Freedom and the case of the motorist. The motorist is not a criminal, nor intends to be -- simply a busy man, rushing to his important destination, asking only liberty to do so at his own risk, and willing to give the same liberty to everyone, in cars or on foot. But at the crossing of the ways, there stands the traffic-officer, with his white gloves, imperiously stopping and starting him at his will. It is a clear invasion of equal-liberty and he would defy it if he dared, but there is Law behind the officer, and bullets behind the law. Yet there is public benefit in the traffic-officer and the people will never let him go, principle or no principle.

I have been sorry to criticize this book. Its spirit is fine -- the spirit of individualist-anarchism usually is fine and co-operation is all to the good. I am for co-operation to the limit and for individual liberty as far as practicable. I agree with Jefferson that the least government that will do the work is the best and would reduce law to a minimum -- but social action without some government and some law is naturally impossible and will always be found so. And liberty is the legal-tender of life and a piece of it is the price we pay for every motion and benefit.

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